

The Meeting of the Mayor and Council of the Borough of Freehold was held on Tuesday, January 17, 2017 at 7:00 p.m. in the Municipal Building.

Mayor Higgins stated that the notice of the time, date and location of the meeting had been provided pursuant to the provisions of Chapter 231 of the Laws of 1975 (Open Public Meetings Act).

Councilman Schnurr opened the meeting with the Salute to the Flag, followed by a moment of silence.

#### ROLL CALL

PRESENT	MAYOR J. NOLAN HIGGINS
ABSENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN RONALD GRIFFITHS
ABSENT	COUNCILMAN KEVIN KANE
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Mayor Higgins read Item No. 4 on the Agenda as follows:

**“Presentation of the Mayor and Council of the Borough of Freehold Honoring Head Coach Donna M. Hein and the Freehold Boro High School Field Hockey Team North II Group 3 State Sectional Champions.”**

Councilman Sims congratulated the team on behalf of Mayor and Council. Councilman Sims called up Coach Hein and her team and presented them with certificates honoring their championship title. Councilman Sims also introduced Coach Stan Parker.

Mayor Higgins read Item No. 5 on the Agenda as follows:

**“Approval of Minutes: Council Meeting December 19, 2016.”**

Councilwoman Shutzer offered a motion to accept the minutes and was seconded by Councilman Sims.

On roll call Council Members Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain Griffiths; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 6 on the Agenda as follows:

**“Introduction of and Authorization to Publish Ordinance #2017/1 Amending Chapter 15 (Building and Construction), Sections 15.08.010, .030, .040, .050 (Construction Permit Fees) of the Revised General Ordinances of the Borough of Freehold.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilman Sims:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2017/1 AMENDING CHAPTER 15 (BUILDING AND CONSTRUCTION), SECTIONS 15.08.010, .030, .040, . 050 (CONSTRUCTION PERMIT FEES) OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD” be, and same is hereby approved on first reading; and

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to publish said Ordinance in the Asbury Park Press and that shall be further considered for final passage after public hearing at a meeting held on February 6, 2017 at 7:00 PM and that during the week of said meeting copies of the Ordinance shall be made available at the Clerk’s office to members of the general public who shall request same.

Councilman Sims asked Administrator Joe Bellina to thank Code Enforcement Official, Matt Young for all of his hard work on this.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 7 on the Agenda as follows:

**“Introduction of and Authorization to Publish Ordinance #2017/2 of the Borough of Freehold, County of Monmouth, State of New Jersey, Amending Chapter 8.56 (Board of Health Regulations), and Rescinding Chapter 8.68 (Feeding of Unconfined Wildlife).”**

Councilman Sims offered the following Resolution and moved its adoption, seconded by Councilman Griffiths:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2017/2 OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 8.56 (BOARD OF HEALTH REGULATIONS), AND RESCINDING CHAPTER 8.68 (FEEDING OF UNCONFINED WILDLIFE)” be, and same is hereby approved on first reading; and

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to publish said Ordinance in the Asbury Park Press and that shall be further considered for final passage after public hearing at a meeting held on February 6, 2017 at 7:00 PM and that during the week of said

meeting copies of the Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 8 on the Agenda as follows:

**“Introduction of and Authorization to Publish Bond Ordinance #2017/3 Providing for the Design and Construction of New Water Well No. 10, Appropriating \$1,350,000 Therefor and Authorizing the Issuance of \$1,300,000 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”**

Councilman Schnurr offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2017/3 PROVIDING FOR THE DESIGN AND CONSTRUCTION OF NEW WATER WELL NO. 10, APPROPRIATING \$1,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,350,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY” be, and same is hereby approved on first reading; and

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to publish said Ordinance in the Asbury Park Press and that shall be further considered for final passage after public hearing at a meeting held on February 6, 2017 at 7:00 PM and that during the week of said meeting copies of the Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

Administrator Joseph Bellina explained Well No. 3, which will now be called Well No. 10 is not functional. A new well had to be established. The permitting process through DEP took a few years but all approvals have been received. Once the Bond Ordinance is approved, it will go out to bid and a contract will be established for approximately \$1.2 million, as estimated by the engineers.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 9 on the Agenda as follows:

**“Resolution of the Mayor and Council of the Borough of Freehold Honoring Miranda Scott on Her 27 Years of Service to the Freehold Borough Library Commission.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilman Schnurr:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
FREEHOLD HONORING MIRANDA SCOTT ON HER 27 YEARS OF SERVICE TO  
THE FREEHOLD BOROUGH LIBRARY COMMISSION.**

Councilman Schnurr reported after 27 years of service, Ms. Scott was relocating to Philadelphia. Councilman Schnurr explained her library experience at AT&T, Bell Corp. University of Pennsylvania Health Systems and Colgate Palmolive where she was on a team that lead the library to a global information center. He stated the town was sorry to see her go and was fortunate to have such an experienced library professional on our commission.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 10 on the Agenda as follows:

**“Resolution of the Mayor and Council of the Borough of Freehold in Support of  
the Monmouth County Reliability Project.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilman Schnurr:

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
FREEHOLD IN SUPPORT OF THE MONMOUTH COUNTY RELIABILITY  
PROJECT.**

Councilman Griffiths stated this will impact the town’s utility infrastructure by assisting the transmission site on Jerseyville Avenue.

Councilman Schnurr stated this is a 10 mile long high voltage power line running along existing New Jersey Transit Rail Lines, so it is not going through neighborhoods. After researching Councilman Schnurr discovered JCP& L did their homework. There were 17 different transmission corridors that were analyzed. Councilman Schnurr added this will improve the reliability for nearly 250,000 people in Monmouth County, including Freehold Borough Residents.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins expressed his support for this project. He stated JCP&L has been asked for several years for infrastructure improvements following the super cell and Storms Sandy and Irene. This will help the service into our Jerseyville sub-station which serves

nearly half of our residents. Mayor Higgins stated it is a good thing for the Borough of Freehold and he looks forward to the improvements JCP&L will make. Mayor Higgins added the line itself does not go through Freehold; it runs from Matawan/Aberdeen to Red Bank and our sub-station is served from Red Bank.

Mayor Higgins read Item No. 11 on the Agenda as follows:

**“Resolution Authorizing Freehold Borough Officials to Submit a Grant Application to the State of New Jersey, Department of Transportation, Trust Fund Authority Act, Fiscal Year 2017.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

RESOLUTION AUTHORIZING FREEHOLD BOROUGH OFFICIALS TO  
SUBMIT A GRANT APPLICATION TO THE STATE OF NEW JERSEY,  
DEPARTMENT OF TRANSPORTATION, TRUST FUND AUTHORITY ACT,  
FISCAL YEAR 2017.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 12 on the Agenda as follows:

**“Resolution Authorizing the Execution of a Shared Services Data License Agreement with the County of Monmouth for Geographic Information System (GIS) for Aerial Imagery.”**

Councilman Schnurr offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES  
DATA LICENSE AGREEMENT WITH THE COUNTY OF MONMOUTH FOR  
GEOGRAPHIC INFORMATION SYSTEM (GIS) FOR AERIAL IMAGERY.

On roll call Council Members Griffiths, Schnurr and Shutzer and Sims voted its adoption; opposed none; abstain Sims; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 13 on the Agenda as follows:

**“Resolution Authorizing the Purchase of Gasoline and Diesel Fuel per the New Jersey State Contract.”**

Councilman Sims offered the following Resolution and moved it adoption, seconded

by Councilman Griffiths:

**RESOLUTION AUTHORIZING THE PURCHASE OF GASOLINE AND DIESEL FUEL PER THE NEW JERSEY STATE CONTRACT.**

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 14 on the Agenda as follows:

**“Resolution Authorizing the Release of Irrevocable Letter of Credit 1687 and Acceptance of Cash Replacement.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

**RESOLUTION AUTHORIZING THE RELEASE OF IRREVOCABLE LETTER OF CREDIT 1687 AND ACCEPTANCE OF CASH REPLACEMENT.**

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 15 on the Agenda as follows:

**“Resolution Awarding a Contract for an Employee Assistance Program (EAP).”**

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman Sims:

**RESOLUTION AWARDING A CONTRACT FOR AN EMPLOYEE ASSISTANCE PROGRAM (EAP).**

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 16 on the Agenda as follows:

**“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Authorizing Amendment to Lease Agreement with Norcap Financial LLC for Installation of New HVAC System.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilman Sims:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING AMENDMENT TO LEASE AGREEMENT WITH NORCAP FINANCIAL LLC FOR INSTALLATION OF NEW HVAC SYSTEM.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 17 on the Agenda as follows:

**“Resolution Waiving Parking Fees.”**

Councilman Schnurr offered the following Resolution and moved its adoption, seconded by Councilman Griffiths:

RESOLUTION WAIVING PARKING FEES.

Councilman Schnurr reported this provides free parking for St. Peter’s Church and Library employees.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 18 on the Agenda as follows:

**“Revised Resolution Providing Notice of the 2017 Meetings of the Mayor and Council of the Borough of Freehold.”**

Councilman Schnurr offered the following Resolution and moved its adoption, seconded by Councilman Griffiths:

REVISED RESOLUTION PROVIDING NOTICE OF THE 2017 MEETINGS OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD.

Councilman Schnurr explained the prior Resolution noted there was a charge of \$50.00 for a copy of the list, which was removed.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 19 on the Agenda as follows:

**“Resolution Accepting the Mayor’s Nomination for Appointment to the Manasquan River Regional Sewerage Authority:**

- a. Richard J. Gartz for a five year term expiring 1/31/2022.”**

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman Sims:

**RESOLUTION ACCEPTING THE MAYOR’S NOMINATION FOR APPOINTMENT TO THE MANASQUAN RIVER REGIONAL SEWERAGE AUTHORITY: 19A.**

Councilman Schnurr acknowledged Mr. Gartz’s financial expertise and stated it is a benefit having him on the MRRSA.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higigns read Item No. 20 on the Agenda as follows:

**“Resolution Confirming Personnel Appointments/Actions:**

- a. Resignation of Special Police Officer Johnny Saada from the Freehold Police Department, effective February 3, 2017.**
- b. Resignation of Joanna Parks as full-time School Crossing Guard, effective January 6, 2017.**
- c. Appointment of Barry Warren as full-time School Crossing Guard, effective January 9, 2017.**
- d. Appointment of Eric Correia as a member of the Freehold Fire Department’s Junior Firefighter Program, effective January 17, 2017.**
- e. Appointment of Matthew Lichardi as a member of the Freehold Fire Department’s Junior Firefighter Program, effective January 17, 2017.”**

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman Sims:

**RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NOS. 20A – 20E.**

Councilwoman Shutzer wished Johnny Saada well as he moves on to something bigger and better for him. Councilwoman Shutzer stated Joanna Parks has been a crossing guard at Jackson St. and Center St. for years and will be missed. She congratulated Eric and Matthew for joining the Jr. Firefighter Program.

Mayor Higgins reported Johnny Saada served the Borough well and wished him well on his new position with Fairfax County in Virginia.



On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 21 on the Agenda as follows:

**“Resolution Approving the Following Applications:**

- a. **Junkyard License, Beacon Metal Company, 215 Throckmorton Street, Freehold.**
- b. **Precious Metal License, Freehold Jewelers, 33 West Main Street, Freehold.**
- c. **Massage Establishment/Therapist License, Kaleria Lamotkina, Freehold Body Care, 4 East Main Street.**
- d. **Massage Therapist License, Inna Lamotkina, Freehold Body Care, 4 East Main Street.**
- e. **Raffle License #1-17, Solomon Schechter Day School of Greater Monmouth, Casino Night, 2/4/17, 8:00 PM – 12:00 AM at 59 Broad Street.**
- f. **Raffle License #2-17, Solomon Schechter Day School, 50/50, 2/4/17, 8:00 PM – 12:00 AM at 59 Broad Street.**
- g. **Raffle License #3-17, BPOE #1454 Freehold Lodge, 50/50, 3/12/17, 2:00 PM – 5:00 PM at 73 East Main Street.**
- h. **Temporary Taxi Driver License, Sharon Keys, Freehold.**
- i. **Temporary Taxi Driver License, Amanda Robles, Freehold.**
- j. **Temporary Taxi Driver License, Leonel Hernandez, Freehold.**
- k. **Temporary Taxi Driver License, Juan Gonzales, Freehold.**
- l. **Temporary Taxi Driver License, Angel Cruz, Freehold.**
- m. **Temporary Taxi Driver License, Mynos Rodriguez, Freehold.**
- n. **Temporary Taxi Driver License, Jacqueline Koleshnick, Freehold.”**

Councilman Sims offered the following Resolution and moved its adoption, seconded by Councilman Griffiths:

**RESOLUTION APPROVING APPLICATIONS NOS. 21A – 21N.**

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 22 on the Agenda as follows:

**“Approval of Bills.”**

Councilman Griffiths offered the following Resolution and moved its adoption, seconded by Councilman Sims:

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$1,926,894.54 be paid as presented.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 23 on the Agenda as follows:

**“Clerk – Late Communications.”**

There were none.

Mayor Higgins read Item No. 24 on the Agenda as follows:

**“Public Comments”**

Mr. Jim McAllister, 106 South Street, announced he is no longer President at the First Aid Squad and expressed his appreciation for the all the help the squad has received in the past. Mr. McAllister suggested agendas be copied on both sides to save paper and tax payer dollars.

Ms. Christine Gregory, West George Street, asked for clarification to the Ordinance introduced as Item No. 7 on the agenda.

Borough Attorney Kerry Higgins explained it was requested by the Board of Health and states you can not feed unconfined wildlife. Feeding birds is still permitted, except large water fowl.

Councilwoman Shutzer made a motion to close Public Comments, seconded by Councilman Sims.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 25 on the Agenda as follows:

**“Council Comments.”**

Councilman Sims had no comments.

Councilwoman Shutzer had no comments.

Councilman Griffiths had no comments.

Councilman Schnurr reported the Library will have Assemblyman Eric Houghtaling and Assemblywoman Joanne Downing holding mobile office hours on Thursday, January 26<sup>th</sup> between 11:00 AM and 1:00 PM. Councilman Schnurr reported the recent appointments and professional

positions confirmed at the Planning Boards recent Reorganization Meeting. He explained the board will be holding a workshop to review the need to make recommendations to Mayor and Council. He stated the last time this was done was in 2010. Councilman Schnurr stated the Freehold Borough Education Foundation will be presenting a check to the school on Monday, January 23<sup>rd</sup> for almost \$15,000 for various mini grants for the teachers to request for projects and programs. Councilman Schnurr stated nearly \$10,000 was raised at a year end program and he thanked the governing body who participated. Councilman Schnurr announced a cultural enrichment fund will continue. Other programs scheduled are Principals of Hip Hop, Charlotte's Web production, Rutger's Science Bus and a Bike Safety Program for 4<sup>th</sup> graders.

Mayor Higgins called for a motion to adjourn.

Councilwoman Shutzer offered the motion to adjourn, seconded by Councilman Sims:

MOTION TO ADJOURN.

On roll call Council Members Griffiths, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent DiBenedetto and Kane. Mayor Higgins declared the motion adopted.

The meeting was adjourned at 7:28 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

TLD:lc